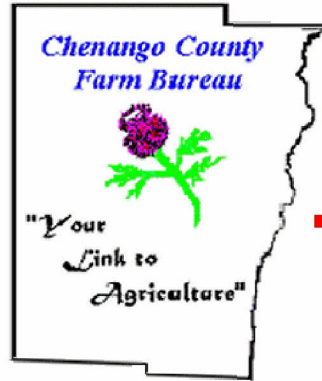


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10/25/2010

Ms. Jennifer Sincock  
Environmental Scientist  
Water Protection Division, (3WP30)  
U.S. Environmental Protection Agency Region III 1650 Arch Street  
Philadelphia, PA 19103-2029

**RE: [FRL-8955-4] Clean Water Act Section 303(d): Preliminary Notice of Total Maximum Daily Load (TMDL) Development for the Chesapeake Bay**

Dear Ms. Sincock,

On behalf of the farm families of Chenango County NY and surrounding area, particularly those located within the Upper Susquehanna and Chenango Watersheds, Chenango County Farm Bureau is writing in regards to the U.S. Environmental Protection Agency's (EPA) request for public input on the development of a TMDL for the Chesapeake Bay. We appreciate the opportunity to provide comment for consideration in the development of the TMDL. Our member farmers believe strongly in efforts to continually improve water quality and are opposed to the inclusion of agriculture as well as the inclusion of waters in New York State within the Chesapeake Bay TMDL.

As a member of the Susquehanna River Basin Commission (SRBC) Agriculture Committee, I'm well aware how New York Farmers have been leaders in protecting and improving water quality. For over a decade our larger livestock farmers have been actively involved in the most comprehensive water quality protection program in the nation. All farms that are defined as medium or large animal feeding operations (AFO) under federal regulations apply manure and other nutrients in accordance with a nutrient management plan that exceeds federal standards and that is completed by a trained and certified nutrient management planner. Beyond this requirement our small farms have also been focused on improving water quality through participation in New York Agricultural Environmental Management (AEM) program. This is a model initiative that clearly demonstrates the most effective way to improve farm environmental efforts is through a voluntary, incentive-based approach.

These efforts are clearly effective in reducing nutrient loads to not only the Susquehanna and Chenango rivers and their tributaries, but ultimately the Chesapeake Bay. This is demonstrated by New York's strong record of water quality, which continues to improve. In fact, the only limiting factor to increasing New York agriculture's contribution to water quality is federal assistance.

Farmers throughout the watersheds would welcome the opportunity to do even more to protect water quality, they simply need more assistance to implement projects, not increased regulation and oversight proposed by the TMDL.

Further indication of New York's positive work on water quality is demonstrated by New York having responsibility for only six percent of the Bay's current Nitrogen load and five percent of the current Phosphorus load while serving as the caretaker of ten percent of the total Bay Watershed land area. To expect New York to reduce its load beyond these levels (as EPA draft numbers have suggested 5.3% for N and 3.7% for P) is unacceptable. All states should at least be treated equally in assigning future nutrient loads and New York should not be expected to reduce our load by a higher proportion than any other state.

If EPA were truly committed to improving the water quality of the Chesapeake Bay, rather than approach the issue by employing a TMDL that does not recognize the scope of the success of agriculture's efforts, it should advocate for a more constructive, stakeholder focused approach. Helping farmers implement BMPs through better targeting of the Section 319 funds and urging all stakeholders to support more implementation funds would significantly assist in practical water quality improvements.

Again, we oppose the establishment of a Chesapeake Bay TMDL and do not believe New York should be included in any regulatory initiative. We stand ready to work with EPA as well as our long-term partners in the New York State Department of Environmental Conservation on positive steps to improve the environmental sustainability of our farms.

Thank you for your consideration of our position. Please do not hesitate to contact us if you have any questions.

Sincerely,

Bradd Vickers  
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607-336-3546